

**DECISION  
AND  
FINDING OF NO SIGNIFICANT IMPACT**

**SUPPLEMENT TO ENVIRONMENTAL ASSESSMENT: WHITE-TAILED DEER DAMAGE  
MANAGEMENT IN MARYLAND**

The United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Wildlife Services (WS) program completed an Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) on alternatives for the protection of natural resources, agriculture, human safety, and property from damage and risks associated with deer in Maryland in October 2005 (USDA 2005). The management alternative selected was, "*Alternative 5 - Integrated Deer Damage Management Program (Proposed Action/No Action)*" in which WS uses and recommends practical and effective nonlethal and lethal methods to alleviate deer damage to natural resources, agriculture, human safety, and property. WS has prepared a supplement to the EA in order to update information, review data on the program implemented since the completion of the EA, consider impacts of adding new methods for deer damage management, consider expanding the scope to include Washington D.C., and to provide the public the opportunity to review and comment on WS' deer damage management activities (USDA 2013).

**PUBLIC COMMENTS**

The 2005 EA, 2005 Decision/FONSI, and the 2013 Supplement were made available for review and comment from November 7 to December 6, 2013. The documents were made available through a Notice of Availability (NOA) published in the *Capitol-Gazette* and *Washington Post* and mailings sent to 23 interested parties. WS also published these documents on the program website. No comments were received. All correspondence on the EA and Supplement are maintained at the WS office, 1568 Whitehall Road, Annapolis, MD 21409.

**ISSUES ASSOCIATED WITH MAMMAL DAMAGE MANAGEMENT ACTIVITIES**

The EA and supplement analyzed a range of management alternatives in context of issues relevant to the scope of the analysis including:

- Effects on white-tailed deer populations
- Effects on plants and other wildlife species, including threatened and endangered species
- Effects on human health and safety
- Humaneness of methods to be used
- Effects on aesthetic values
- Effects on regulated white-tailed deer hunting

**AFFECTED ENVIRONMENT**

Deer damage or threats of damage can occur statewide in Maryland and throughout the District of Columbia wherever deer occur. However, deer damage management would only be conducted by WS when requested by a landowner or manager and only on properties where a cooperative service agreement or other comparable document was signed between WS and a cooperating entity. Upon receiving a request for assistance, activities could be conducted on federal, State, tribal, municipal, and private properties. Areas where damage or threats of damage could occur include, but would not be limited to agricultural fields, vineyards, orchards, farms, industrial sites, natural resource areas, park lands, and

historic sites; property in or adjacent to subdivisions, businesses, and industrial parks; timberlands, croplands, and pastures; public and private properties in rural/urban/suburban areas where deer cause damage to landscaping and natural resources, property, and are a threat to human safety through the spread of disease and vehicle collisions. The areas could also include airports and military airbases where deer are a threat to human safety and to property; and areas where deer negatively affect wildlife, including T&E species.

## **DESCRIPTION OF THE ALTERNATIVES**

The following five alternatives were developed to respond to the issues identified in Chapter 2 of the EA (USDA 2005). A detailed discussion of the effects of the alternatives on the issues is described in the EA under Chapter 4; below is a summary of the alternatives.

### **Alternative 1: No Deer Damage Management by WS**

This alternative would eliminate WS involvement in all deer damage management activities. WS would not provide direct operational or technical assistance and requesters of WS services would have to conduct their own deer damage management without WS input.

### **Alternative 2: Technical Assistance Only**

This alternative would only allow Maryland WS to provide technical assistance to individuals or agencies requesting deer damage management. Individuals might choose to implement WS lethal and non-lethal recommendations, implement methods not recommended by WS, use contractual services of private businesses, or take no action.

### **Alternative 3: Lethal Deer Damage Management only by WS**

Under this alternative, WS would provide only lethal direct control services and technical assistance. Requests for information regarding non-lethal management approaches would be referred to the Maryland Department of Natural Resources, local animal control agencies, or private businesses or organizations. Individuals might choose to implement WS lethal recommendations, implement non-lethal methods or other methods not recommended by WS, contract for WS lethal direct control services, use contractual services of private businesses, or take no action.

### **Alternative 4: Nonlethal Deer Damage Management only by WS**

This alternative would require WS to use and recommend non-lethal methods only to resolve all deer damage problems. Requests for information regarding lethal management approaches would be referred to the Maryland Department of Natural Resources, local animal control agencies, or private businesses or organizations. Persons incurring deer damage could still resort to lethal methods or other methods not recommended by WS, use contractual services of private businesses that were available to them, or take no action.

### **Alternative 5: Integrated Deer Damage Management Program: No Action (Preferred Alternative)**

Under this alternative, Wildlife Services would continue the current damage management program that responds to requests for white-tailed deer damage assistance in the State of Maryland with expansion into the District of Columbia. An IWDM approach would be implemented in consultation and coordination with the Maryland Department of Natural Resources to alleviate white-tailed deer damage to agriculture, property, natural resources, and human health and safety on all private and public lands of Maryland



where a need exists, a request is received, and funding is available. An IWDM strategy would be recommended and used, encompassing the use of practical and effective methods of preventing or reducing damage while minimizing harmful effects of damage management measures on humans, white-tailed deer, other species, and the environment. Under this action, WS would provide technical assistance and operational damage management, including non-lethal and lethal management methods by applying the WS Decision Model (Slate et al. 1992). When appropriate, habitat modifications, harassment, repellants, and physical exclusion could be recommended and utilized to reduce deer damage. In other situations, deer would be removed as humanely as possible by sharp shooting and live capture followed by euthanasia under permits issued by the Maryland Department of Natural Resources. In determining the damage management strategy, preference would be given to practical and effective non-lethal methods. However, non-lethal methods may not always be applied as a first response to each damage problem. The most appropriate response could often be a combination of non-lethal and lethal methods, or there could be instances where application of lethal methods alone would be the most appropriate strategy. In addition, WS could utilize new methods as discussed in section 2.1 in the EA supplement (USDA 2013). Deer damage management would be conducted in the state, when requested, on private or public property after an *Agreement for Control* or other comparable document has been completed. All deer damage management would be consistent with other uses of the area and would comply with appropriate federal, state and local laws.

## **CONSISTENCY**

Wildlife damage management activities conducted in Maryland and the District of Columbia are consistent with work plans, MOU's, and policies of WS, the Maryland Department of Natural Resources (MDNR), the District Department of the Environment, and the US Fish and Wildlife Service (USFWS). Based on the provisions and protective measures established in the EA, WS concluded the proposed action would have no effect on any federally-listed species. After reviewing the provisions and protective measures established in the supplement, WS again concluded the proposed alternative would have no effect on federally-listed species. WS also consulted with the MDNR regarding potential risks to state-listed species proposed in the EA and supplement. In both instances, the MDNR concurred with WS' determination that the proposed action would not adversely impact populations of state-listed species.

## **MONITORING**

The Maryland WS program will annually review its effects on deer populations and other species addressed in the EA and Supplement to ensure those activities do not impact the viability of wildlife species. In addition, the EA and Supplement will be reviewed each year to ensure that the analyses are sufficient.

## **CUMULATIVE IMPACTS OF THE PROPOSED ACTION**

No significant cumulative environmental impacts were identified from any of the five alternatives, including the proposed action. Under the proposed action, the lethal removal of deer by WS would not have significant impacts on statewide deer populations when known sources of mortality were considered. No risk to public safety was identified when activities were provided and expected by requesting individuals under Alternatives 2, 3, 4, and 5 since only trained and experienced personnel would conduct and/or recommend damage management activities. There would be a slight increased risk to public safety when persons who reject assistance and recommendations conduct their own activities under Alternative 2 and when no assistance was provided under Alternative 1. However, under all of the alternatives, those risks would not be to the point that the effects would be significant. The analysis in the EA indicates that an integrated approach to managing damage and threats caused by deer would not result in significant cumulative effects on the quality of the human environment.



## DECISION AND FINDING OF NO SIGNIFICANT IMPACT

I have carefully reviewed the EA and supplement prepared for this proposal and the input from the public involvement process. I find the proposed action alternative (Alternative 5) to be environmentally acceptable, addressing the issues and needs while balancing the environmental concerns of management agencies, landowners, advocacy groups, and the public. The analyses in the EA and supplement adequately address the identified issues, which reasonably confirm that no significant impact, individually or cumulatively, to the quality of the human environment are likely to occur from the proposed action, nor does the proposed action constitute a major federal action. Therefore, the analysis in the EA does not warrant the completion of an EIS.

Based on the analyses in the EA and supplement, the need for action and the issues identified are best addressed by selecting Alternative 5 and applying the associated standard operating procedures. Alternative 5 successfully addresses (1) deer damage management using a combination of the most effective methods and does not adversely impact the environment, property, human health and safety, target species, and/or non-target species, including T&E species; (2) it offers the greatest chance of maximizing effectiveness and benefits to resource owners and managers; (3) it presents the greatest chance of maximizing net benefits while minimizing adverse effects to public health and safety; and (4) it offers a balanced approach to the issues of humaneness and aesthetics when all facets of those issues are considered. Further analysis would be triggered if changes occur that broaden the scope of damage management activities that affect the natural or human environment or from the issuance of new environmental regulations. Therefore, it is my decision to implement the proposed action/no action alternative (Alternative 5) as described in the EA and supplement.

Based on the analyses provided in the EA and supplement, there are no indications that the proposed action (Alternative 5) would have a significant impact, individually or cumulatively, on the quality of the human environment. I agree with this conclusion and therefore, find that an EIS should not be prepared. This determination is based on the following factors:

1. Deer damage management, as conducted by WS in the State, is not regional or national in scope.
2. The proposed action would pose minimal risk to public health and safety. Based on the analyses in the EA and supplement, the methods available would not adversely affect human safety based on their use patterns and standard operating procedures.
3. There are no unique characteristics such as prime farm lands, wetlands, wild and scenic areas, or ecologically critical areas that would be significantly affected. WS' standard operating procedures and adherence to applicable laws and regulations would further ensure that WS' activities do not harm the environment.
4. The effects on the quality of the human environment are not highly controversial. Although there is some opposition to deer damage management, this action is not highly controversial in terms of size, nature, or effect.
5. Based on the analysis documented in the EA, supplement, and the accompanying administrative file, the effects of the proposed damage management program on the human environment would not be significant. The effects of the proposed activities are not highly uncertain and do not involve unique or unknown risks.
6. The proposed action would not establish a precedent for any future action with significant effects.

7. No significant cumulative effects were identified through the assessment. The EA and supplement analyzed cumulative effects on target and non-target species populations and concluded that such impacts were not significant for this or other anticipated actions to be implemented or planned within the State of Maryland and District of Columbia.
8. The proposed activities would not affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places, nor would they likely cause any loss or destruction of significant scientific, cultural, or historical resources.
9. WS has determined that the proposed program would not adversely affect any federally-listed T&E species currently listed in the State. In addition, WS has determined that the proposed activities would not adversely affect State-listed species.
10. The proposed action would comply with all applicable federal, State, and local laws.
11. No significant cumulative effects were identified by this assessment or other actions implemented or planned within the area.

The rationale for this decision is based on several considerations. This decision takes into account public comments, social/political and economic concerns, public health and safety, and the best available science. The foremost considerations are that: 1) deer damage management would only be conducted by WS at the request of landowners/managers, 2) management actions would be consistent with applicable laws, regulations, policies and orders, and 3) no significant effects to the environment were identified in the analysis. As a part of this Decision, the WS program in Maryland would continue to provide effective and practical technical assistance and direct management techniques that reduce damage and threats of damage.



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12/11/13  
Date

#### LITERATURE CITED

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